



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

MAJEED *ET AL.*

Group Art Unit: 1617

Application Serial No.: 09/926,424

Examiner: JIANG, S.A.

Filed: July 28, 2002

Attorney Docket No.: 108064-00049

For: COMPOSITIONS OF BOSWELIC ACIDS DERIVED FROM *BOSWELLIA SERRATA* GUM RESIN
FOR TREATING LYMPHOPROLIFERATIVE AND AUTOIMMUNE CONDITIONS

DECLARATION OF VLADIMIR BADMAEV

UNDER 37 C.F.R. §1.132

I, Vladimir Badmaev, M.D., Ph.D., do hereby declare as follows:

- 1) I am a co-inventor, along with Dr. Muhammed Majeed, of the above-identified U.S. patent application, which is a continuation of U.S. Pat. Appl. Ser. No. 09/302,510, filed April 30, 1999.
- 2) During the prosecution of the present application, the examiner has cited Shao *et al.* (Y. Shao, C.T. Ho, C.K. Chin, V. Badmaev, W. Ma, and M.T. Huang, "Inhibitory Activity of Bowellic Acids from *Boswellia serrata* Against Human Leukemia HL-60 Cells in Culture", *Planta Med.* **64**(4), 328 - 331, May 1998).
- 3) I am a co-author of this scientific research paper, which describes my work. The remaining co-authors, Y. Shao, C.T. Ho, C.K. Chin, W. Ma, and M.T. Huang were merely working under my direction.
- 4) I am the sole inventor of the subject matter described in Shao *et al.*, which is therefore not an invention "by others" under 35 U.S.C. §102.

I hereby declare that all statements made herein of my own knowledge are true, were made with the knowledge that willfully false statements made are punishable by fine, or imprisonment, or both, under 18 U.S.C. §1001, and that such statements may jeopardize the validity of this application and patent issuing thereon.

K. Badmaev MD PhD

Vladimir Badmaev, **MD., Ph.D.**

March 12th 04

Date